

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

FEB 24 2020

UNITED STATES OF AMERICA  
v.

Hiram Garcia

PRINCIPAL

United States

David J. Bradley, Clerk

YOB: 1967

Case Number:  
**M-20-0495-M**

## CRIMINAL COMPLAINT

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 22, 2020 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(Type Statutory Language of Offense)

**knowing or in reckless disregard of the fact that Elmer Geovani Perdomo-Rodriguez, a citizen and national of Honduras an undocumented aliens, for a total of one (1), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,**

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**

I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On February 22, 2020, Border Patrol Agents were advised by a camera operator that two suspected undocumented aliens had entered a gray Dodge Journey in Roma, Texas. This area is in close proximity to the Rio Grande River and commonly used for alien and narcotics smuggling. The camera operator provided the direction of travel and informed agents the Dodge Journey was travelling towards U.S. Highway 83. An agent responding to the area observed a vehicle matching the description and turned around for a closer observation.

The agent followed the vehicle for a short distance and requested a vehicle registration check which returned with a Houston, Texas address. Based on the observations and information, the agent activated his emergency equipment to conduct a vehicle stop. The Dodge Journey pulled over without incident.

## SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Yes  No

  
Signature of Complainant

William A. Dubois Border Patrol Agent  
Printed Name of Complainant

February 24, 2020  
Date

at McAllen, Texas  
City and State

Peter E. Ormsby , U. S. Magistrate Judge  
Name and Title of Judicial Officer

  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-20-0495-M**

**RE: Hiram Garcia**

**CONTINUATION:**

As the agent approached the Journey, a rear passenger exited and absconded. An additional passenger in the rear seat attempted to flee but was quickly apprehended. The agent questioned the back passenger, later identified as Elmer Giovani Perdomo-Rodriguez, and determined him to illegally present in the United States. The driver of the vehicle was identified as Hiram Garcia, a United States Citizen. All subjects were read their Miranda Rights, placed under arrest and transported to the Rio Grande City Border Patrol Station.

**PRINCIPAL STATEMENT:**

Hiram Garcia, a United States Citizen, was read his Miranda Rights. He understood his rights and agreed to provide a sworn statement without the presence of an attorney.

Garcia stated that he received a call from an individual in Mexico and was asked if he would pick up one person. When he arrived at the location he picked up two individuals. Garcia stated that he initially did not know the subjects were illegal aliens but after a short time he realized that they were, based on their appearance. He stated that he had not discussed any type of compensation with the person who called him, but he was supposed to call him back after dropping off the subjects to discuss payment. After picking up the subjects he was supposed to call a female to get a drop off location for the subjects. Garcia stated he assumed that he was going to drop them off at apartment complex he had heard of that was being used to harbor illegal aliens. He stated that this would be his first time dropping off aliens at that location.

**MATERIAL WITNESS STATEMENT:**

Elmer Geovani Perdomo-Rodriguez, a citizen of Honduras, was read his Miranda Rights. He understood his right and agreed to provide a sworn statement without the presence of an attorney.

Perdomo-Rodriguez stated that a friend of his made all of his smuggling arrangements and was unaware of how much his friend had paid. He entered the United States illegally with one other subject. After entering the United States he and his friend hid by the river bank for about one hour. His friend then told him to walk north toward the street. Once at the street his friend told him to hide. His friend was receiving instructions on the phone. Perdomo-Rodriguez then stated his friend instructed him to follow him to a vehicle that was waiting. Once at the vehicle Perdomo-Rodriguez noticed a male driver and a female passenger. Perdomo-Rodriguez stated that once stopped by Border Patrol he and his friends switched position in the back seat and his friend ran from the vehicle on the driver side but he was not able to get out.